

Application No. 09/830,488

File No. RXSD 1001-3

REMARKS.

In response to the Notice of Non-Compliant Amendment of 11 January 2006, Applicant has properly marked claims 1-132 as canceled, leaving claims 133-188 for prosecution on the merits.

On 26 April 2001, Applicants submitted a Preliminary Amendment canceling claims 1-132 of this application, leaving claims 133-188 for prosecution in this matter. The Preliminary Amendment is included in the image file wrapper in the Patent Office.

On 29 September 2005, Applicants received an Office Action in the form of a Restriction Requirement mailed 26 September 2005. In the Action, the Examiner mistakenly indicated that claims 1-188 were pending in the application, and required that Applicants elect the claims of Group I or Group II. Group I consisted claims 1-38 and 111-188, which group included all of the pending claims, plus some claims which had previously been canceled. Group II consisted of claims 39-110, all of which had previously been canceled. The Restriction Requirement was therefore issued in error.

However, applicant did not notice the error and, on 21 December 2005, Applicant responded to the Restriction Requirement by choosing the claims of Group I, which includes all of the claims which were pending before the faulty Restriction Requirement was issued.

The claims listed herein show the current correct standing of the pending claims, which standing is the same as it was prior to the issuance of the Restriction Requirement. Claims 1-132 are canceled and claims 133-188 are pending. It is submitted that the claims shown above reflect the standing of the application before the issuance of the Restriction Requirement.

It is respectfully submitted that this application is now in condition for allowance, and such action is requested.

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The Commissioner is hereby authorized to charge any fee determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (RXSD 1001-3).

Respectfully submitted,



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